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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

TM02/0327

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WASSUM,  
ART UNIT

PAPER NUMBER

2177  
DATE MAILED:

03/27/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/188,492

Applicant(s)

BAE, SEONGHO

Examiner

Luke S. Wassum

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on 16 February 2001 is: a) ☐ approved b) ☒ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Amendment***

1. Receipt is hereby acknowledged of Applicant's Amendment, filed 16 February 2001.
2. Due to the number of amendments made to the specification, amendments to the specification have not been entered into the record. Amendments to the claims have been entered; claims 1-20 are now presented for examination.

### ***Drawings***

3. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 16 February 2001 have been disapproved, for the reason cited below.
4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

In Figure 7, reference number 206. It is suggested that page 29, line 13 of the specification be amended to insert 'via path 206' after 'document 180'.

Correction is required.

### ***Specification***

5. A substitute specification excluding the claims is required pursuant to 37 CFR 1.125(a) because the number or nature of the amendments render it difficult to consider the application or to arrange the papers for printing or copying, 37 CFR 1.125.

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A substitute specification filed under 37 CFR 1.125(a) must only contain subject matter from the original specification and any previously entered amendment under 37 CFR 1.121. If the substitute specification contains additional subject matter not of record, the substitute specification must be filed under 37 CFR 1.125(b) and must be accompanied by: 1) a statement that the substitute specification contains no new matter; and 2) a marked-up copy showing the amendments to be made via the substitute specification relative to the specification at the time the substitute specification is filed.

6. Since the amendments to the specification have not been made of record, all pending objections to the specification as cited in the First Action remain.

***Claim Rejections - 35 USC § 112***

7. As a result of the Applicant's Amendment, the pending claim rejections based on 35 USC § 112 are hereby withdrawn by the examiner.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-4, 6-14 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kitain et al.** (U.S. Patent 5,864,871) in view of **Rogers et al.** (U.S. Patent 6,094,655).

10. Regarding claims 1 and 6, **Kitain et al.** discloses a data processing environment substantially as claimed, including:

- a) a user terminal which displays a report (see col. 13, lines 10-22; see also col. 47, lines 25-27);
- b) a publicly accessible digital communications network coupled to said user terminal (see 'Internet' on Figure 1; see also col. 13, lines 1-3);
- c) an information server (see Figure 1, reference number 2; see also col. 13, lines 1-3);
- d) a server coupled to user terminal via a publicly-accessible digital communications network (see 'Internet' on Figure 1; see also col. 13, lines 1-3); and
- e) a server coupled to a database management system (see Figure 1, reference numbers 11 and 13; see also col. 12, lines 35-45).

**Kitain et al.** does not teach a data processing system wherein said server spools the requested reports for future delivery.

**Rogers et al.**, however, teaches a data processing system wherein said server spools the requested reports for future delivery (see col. 9, lines 2-10; see also col. 14, line 44 through col. 15, line 9; see also col. 19, line 40 through col. 20, line 38).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate said spooling feature into a data processing system, since this supports the ability to distribute the requested report to multiple locations, and/or in multiple formats.

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11. Furthermore, regarding claims 2 and 7, **Kitain et al.** teaches a data processing system comprising a plurality of user terminals and wherein said server electronically delivers reports to said terminals (see Figure 1, reference numbers 6 and 8; see also col. 11, lines 35-42; see also col. 13, lines 10-12).

12. Furthermore, regarding claims 3 and 9, **Kitain et al.** teaches a data processing system wherein said publicly accessible digital communications network in the World-Wide Web (see col. 11, lines 26-31; see also col. 13, lines 1-3).

13. Furthermore, regarding claims 4 and 8, **Rogers et al.** teaches a data processing system wherein said server further comprises a repository which includes space for storage of said report (see col. 9, lines 2-10).

14. Furthermore, regarding claim 10, **Kitain et al.** teaches a data processing system wherein said user terminal is an industry standard compatible personal computer having a web browser (see col. 5, lines 41-52).

15. Regarding claim 11, **Kitain et al.** teaches a method of communicating between a user terminal and a database management system comprising:

a) converting a report into a predetermined format (see col. 12, lines 24-28);

b) making a service request from said user terminal to said database management system (see col. 19, line 47 through col. 20, line 40); and

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c) transmitting HTML display page from said database management system to said user terminal (see col. 20, line 41 through col. 21, line 45).

**Kitain et al.** does not teach a method comprising the spooling of said report within a repository, the automatic generation of a report in response to a sensed signal, nor converting said report to HTML format.

**Rogers et al.**, however, teaches a method of communicating between a user terminal and a database management system comprising the spooling of said report within a repository (see col. 9, lines 2-10; see also col. 14, line 44 through col. 15, line 9; see also col. 19, line 40 through col. 20, line 38), the automatic generation of a report in response to a sensed signal (see col. 14, lines 44-67), and also wherein said report is formatted in HTML (see col. 17, lines 42-47; see also col. 14, lines 57-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate said spooling feature into a data processing system, since this supports the ability to distribute the requested report to multiple locations, and/or in multiple formats.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate said automatic report generation, since this allows more up-to-date information to be displayed to the user than if pre-created and saved reports are displayed. Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention to format the reports in HTML, since HTML is the industry standard for displaying formatted information in a web browser.

16. Furthermore, regarding claim 12, **Kitain et al.** teaches a method wherein said user terminal comprises an industry standard compatible personal computer (see col. 5, lines 41-52).

17. Furthermore, regarding claim 13, **Kitain et al.** teaches a method comprising a plurality of user terminals (see Figure 1, reference numbers 6 and 8; see also col. 11, lines 35-42; see also col. 13, lines 10-12).

18. Furthermore, regarding claim 14, **Kitain et al.** teaches a method wherein said transmitting step comprises transmitting over the World-Wide Web (see col. 11, lines 26-31; see also col. 13, lines 1-3).

19. Regarding claim 16, **Kitain et al.** discloses an apparatus substantially as claimed, comprising:

- a) means permitting a user to interact with a database and for displaying a report (see col. 12, lines 45-61; see also col. 13, lines 10-22; see also col. 47, lines 25-27); and
- b) means responsively coupled to said permitting means for providing said user with access to a publicly accessible digital communications network (see 'Internet' on Figure 1; see also col. 13, lines 1-3).

**Kitain et al.** does not teach an apparatus comprising means for the generation of a report, nor means for spooling said report for future delivery.



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**Rogers et al.**, however, teaches an apparatus comprising means for the generation of a report (see col. 14, lines 44-67), and means for spooling said report for future delivery (see col. 9, lines 2-10; see also col. 14, line 44 through col. 15, line 9; see also col. 19, line 40 through col. 20, line 38).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate said report generation, since this allows a user to view formatted results of any database queries made by said user.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate said spooling feature into a data processing system, since this supports the ability to distribute the requested report to multiple locations, and/or in multiple formats.

20. Furthermore, regarding claim 17, **Kitain et al.** teaches an apparatus wherein said publicly accessible digital communications network comprises the World-Wide Web (see col. 11, lines 26-31; see also col. 13, lines 1-3).

21. Furthermore, regarding claim 18, **Rogers et al.** teaches an apparatus wherein said generating means comprises means for storing said report (see col. 9, lines 2-10).

22. Claims 5, 15, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kitain et al.** (U.S. Patent 5,864,871) in view of **Rogers et al.** (U.S. Patent 6,094,655) as applied to claims 1-4, 6-14, 16-18 and 20 above, and further in view of admitted prior art (**Admission**) (see disclosure, page 3, lines 6-11).

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23. Regarding claims 5, 15 and 19, **Kitain et al.** and **Rogers et al.** teach the elements comprising a method and data processing environment substantially as claimed.

Neither **Kitain et al.** nor **Rogers et al.** teaches said method and data processing environment wherein the database management system is Classic MAPPER.

However, **Admission** teaches a database management system called Classic MAPPER.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Classic MAPPER as the database management system, since it is admitted prior art that Classic MAPPER is “one of the most successful database management systems” (see page 3, lines 8-9).

24. Furthermore, regarding claim 20, **Kitain et al.** teaches an apparatus wherein said permitting means comprises an industry standard compatible personal computer (see col. 5, lines 41-52).

### ***Response to Arguments***

25. Applicant's arguments filed 16 February 2001 have been fully considered but they are not deemed persuasive.

26. In the Amendment, the applicant's arguments are as follows:

- 1) The **Rogers et al.** reference (U.S. Patent 6,094,655) does not teach the spooling of reports for future delivery, and in fact teaches away from such a feature, given the text of col. 9, lines 11-14: "...our control program agents program dynamically creates HTML tags to present the formatted report back to the Web client on the Internet." This argument is used against the rejections of claims 1 and 6, and also of claims 4 and 8.
- 2) The examiner's obviousness conclusion is reached without support from the prior art of record, because **Rogers et al.** teaches only the direct delivery of information without spooling for future delivery.
- 3) Since the examiner has admitted that the **Kitain et al.** reference (U.S. Patent 5,864,871) does not teach the spooling of reports for future delivery, the rejection of claim 2 (a plurality of user terminals which display a spooled report) cannot be upheld, since **Kitain et al.** does not include a terminal to display a spooled report.
- 4) In claim 11, the **Rogers et al.** reference does not teach the automatic generation of a report in response to a sensed signal, but only the generation of a report in response to a user request.
- 5) The examiner's rejection of claims 11 and 16 are inconsistent with admissions made with regard to rejections of claims 1 and 6. In the rejections of claims 1 and 6, the examiner states that "**Kitain et al.** does not teach a data processing system wherein said server spools the requested reports for future delivery" (paragraphs 20 and of the First Action). However, in the rejection of claims 11 and 16, the examiner states that **Kitain et al.** teaches "spooling said report within a repository" (paragraph 25 of the First

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Action) and “a means for spooling said report for future delivery” (paragraph 29 of the First Action).

27. Regarding point (1), **Rogers et al.** teaches alternative means of presenting the data, that the user may request the report be sent to another location in addition to or instead of displaying the report results to the Web browser, and that results can be sent by the control program via electronic mail (i.e. TCP/IP Sendmail facility and Lotus Notes) to one or more locations on the Internet (see col. 9, lines 23-38; see also col. 17, line 66 through col. 18, line 9; see also col. 20, lines 27-35). Such a facility clearly involves the spooling of said report for future delivery.

Furthermore, as illustrated by Figures 4 and 6, **Rogers et al.** teaches a system whereby a filename is displayed to the user along with the results of the request for information. The display of a filename suggests that the report is stored permanently for future retrieval, else the displaying of such information would serve no useful purpose.

28. Regarding point (2), the **Rogers et al.** teaching of alternative means for delivering the report (as cited above) supports the reasons for obviousness as stated in the First Action.

29. Regarding point (3), the rejection of claims 2 and 7 are based upon the *combination* of the **Kitain et al.** and **Rogers et al.** references; citing the lack of the spooling of reports in **Kitain et al.** is irrelevant, since the rejection is based upon the combination of both references.

One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

30. Regarding point (4), the term 'sensed signal' can be interpreted broadly enough to encompass a wide range of communications made to the server. In the examiner's opinion, a user request for the generation of a report falls within the bounds to the term 'sensed signal', and since in response to such a signal the server automatically generates a report, the rejection as stated in the First Action remains unchanged.

31. Regarding point (5), the examiner acknowledges that the attribution of spooling functionality to **Kitain et al.** was erroneous. The examiner apologizes for the error. The rejections of claims 11 and 16 regarding spooling were intended to have been based upon the **Rogers et al.** reference, as were the same elements of claims 1 and 6. The above rejections of claims 11 and 16 have been corrected to maintain the rejection of claims 11 and 16 based on **Kitain et al.** in view of **Rogers et al.**, with the rejection of the spooling element based on **Rogers et al.**, as stated in the rejection of claims 1 and 6.

Since the rejection of spooling functionality has been argued by the applicant regarding claims 1 and 6, and said arguments rejected by the examiner, and since the rejections of claims 11 and 16 are maintained using the same references as in the First Action, the finality of this rejection is maintained by the examiner.

### *Conclusion*

32. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

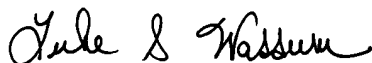
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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke S. Wassum whose telephone number is 703-305-5706. The examiner can normally be reached on Monday-Friday 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 703-305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6606 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Luke S. Wassum  
Art Unit 2177  
March 26, 2001



JEAN R. HOMERE  
PRIMARY EXAMINER